

REMARKS

Applicant expresses appreciation to the Examiner for the recent interview held with applicant's representative. The claims have been amended as proposed at the interview. Specifically, independent claims 1 and 13 directed to a method and a corresponding computer program product have been canceled and replaced with new independent claims 31 and 32, directed to the claimed method and computer program product. Depending claims 2, 3, 6 – 9 and 11 have been amended to depend from the new independent claims and also so as to be consistent in terminology. Claims 4, 5, 10, and 12 – 30 have been canceled without prejudice, thus independent claims 31 and 32 and depending claims 2, 3, 6 – 9 and 11 are presented for reconsideration.

As presented herein for reconsideration, applicant's invention is directed to a method and corresponding computer program product for use in a computer gaming network that includes one or more gaming servers connectable through a network with a plurality of game consoles. As claimed the method enables a user of one of the game consoles to "immediately join, at the user's option and without the user having to first access any particular gaming friend's online status, any of a plurality of the user's remote gaming friends in playing an online game." The method is comprised of steps for using a game console to first log online so as to access a gaming server in order to join in playing a selected game online. The gaming server then causes "a user interface to be displayed to the user at the user's gaming console, the user interface presenting a plurality of options for initiating or joining in an online game for the selected game, at least one of said options comprising a quick join option which, when selected by the user, in turn causes the gaming server to perform steps for:

automatically causing the gaming server to launch a search of a friends list previously created and stored for the user in order to find the first friend in that list who is online playing the selected game; and

thereafter, either i) enabling the user to select game options prior to joining in the online game, or ii) permitting the user to immediately join the first friend in playing the online game that is going on."

In the Office Action the claims were rejected under 35 U.S.C. § 102(b) as anticipated by U. S. Pat. Pub. No. US 2002/0086732 (Kirmse et al.). As discussed at the interview, Kirmse et al. discloses a game server used in conjunction with a messenger server. Game clients playing playing an active online game can notify their "buddies" that they are playing the game by supplying the game server with a reference to the online game. The game client playing the online game is then coupled to a messenger client that allows the game client to send a message that is used to notify the game client's buddies so that they may join the online game.

Specifically, as described in Kirmse et al. "the terms 'inviter' and 'invitee' are used to distinguish end users between those that are playing a game and notifying others and those that are notified and given a notice of the playing. [T]he 'inviter' will not so much be making an invitation to invitees to join a game but . . . simply notifying buddies of the inviter that the inviter is playing an online game. Thus, instead of 'inviter,' 'invitee' and 'invitation,' the terms 'notifier,' 'notifyee' and 'notification,' respectively, might be used instead." P. 2 ¶ [0028]. Kirmse et al. then goes on to explain that "when the invitee [e.g. notified buddy] receives the message . . . and decides to join the game . . . the invitee's messenger client sends an invocation message to the operating system services of the invitee client with enough information to . . . point . . . to the game the inviter is playing." P. 4 ¶ [0045].

As will be appreciated, in order for a person to join in an ongoing online game, that person must either be online so as to see the messenger notification and invitation, or else the must check the messenger to see who has sent out notification that they are online and playing the game.

This is distinctly unlike applicant's claimed method and computer program product, which, as noted, enables a user of one of the game consoles to "immediately join, at the user's option and *without the user having to first access any particular gaming friend's online status*, any of a plurality of the user's remote gaming friends in playing an online game." (Emphasis added). Further, as claimed and as distinguished from Kirmse et al., the gaming server causes "a user interface to be displayed to the user at the user's gaming console, the user interface presenting a plurality of options for initiating or joining in an online game for the selected game, at least one of said options comprising a quick join option which, when selected by the user, in turn causes the gaming server to perform steps for:

automatically causing the gaming server to launch a search of a friends list previously created and stored for the user in order to find the first friend in that list who is online playing the selected game; and thereafter, either i) enabling the user to select game options prior to joining in the online game, or ii) permitting the user to immediately join the first friend in playing the online game that is going on."

Since there were no other rejections or objections of record, for at least the reasons noted above, applicant's claimed method and computer program product is patentable over the prior art of record, and as noted in the Interview Summary "Proposed independent claims 31 and 32 were discussed in view of the prior art [and an] agreement was reached regarding the prior art rejection . . . , which the applicant appears to have overcome with the proposed amended claims." According, favorable reconsideration and allowance is respectfully requested.

In the event the Examiner finds any remaining impediment to allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 11th day of May, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick D. Nydegger", written in a cursive style.

RICK D. NYDEGGER
Registration No. 28,651
Attorney for Applicant
Customer No. 047973